

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

JOSEPH KALABA,
Defendant.

18-CR-265 (JPO)

ORDER

J. PAUL OETKEN, District Judge:

On March 3, 2020, this Court sentenced Defendant Joseph Kalaba to 42 months' imprisonment, to run "concurrent with . . . any undischarged state sentence." (Dkt. No. 3.) Kalaba has written a series of letters to the Court, stating that the Bureau of Prisons has not properly calculated his custodial time and requesting clarification from the Court. (Dkt Nos. 10-11, 13-14.) The Government has expressed its understanding that Kalaba's 42-month sentence was intended to run from the date he was charged in this Court: April 4, 2018. (Dkt. No. 12.)

The Government's understanding is correct, as is clear from the sentencing transcript.

Accordingly, this Court hereby CLARIFIES that Kalaba's 42-month incarceratory sentence should be calculated as running from April 4, 2018. The BOP is directed to determine Kalaba's projected release date accordingly.

The Government is directed to provide a copy of this Order to the BOP and to Kalaba.

SO ORDERED.

Dated: October 7, 2020
New York, New York



J. PAUL OETKEN
United States District Judge